

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ABIMAEL TRUJILLO-LINARES, and
UBER TRUJILLO-COLINDRES,

Defendants.

4:19CR3097

ORDER

The government has moved to continue the trial, (Filing No. 64), because material witnesses are not available during the current trial setting. The defendants have not responded to the motion and the deadline for doing so has passed. The motion is deemed unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion to continue, (Filing No. 64), is granted.

No further continuances shall be granted absent a substantial showing of good cause.

- 2) As to both defendants, the trial of this case is set to commence before the Honorable John M. Gerrard, Chief United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on November 30, 2020, or as soon thereafter as the case may be called, for a duration of four (4) trial days. Jury selection will be held at commencement of trial.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motion, the time between today's date and November 30, 2020, shall be deemed excludable time in any

computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 28th day of September, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge